

In re Application of: Vermin et al.
 Application No. 09/787,004
 Filed: May 23, 2002
 For: DAIRY PRODUCT AND METHOD FOR PREPARING SAME



COMMISSIONER FOR PATENTS
 Washington, D.C. 20231

MAILED
 JUL 23 2002
 GROUP 1700

Sir:

Transmitted herewith is a response to an office action in the subject application.

- Applicants claim small entity status of this application under 37 CFR 1.27.
- Petition for Extension of Time
 - Applicants petition for a two-month extension of time under 37 CFR 1.136, the fee for which is \$400.00 (enclosed).
 - Applicants believe that no petition for an extension of time is necessary. However, to the extent that such petition is deemed necessary, Applicants hereby petition for a sufficient extension of time to render the present submission timely. Please charge Deposit Account No. 12-1216 for the appropriate petition fee.
- No additional claim fee is required.
- Other:

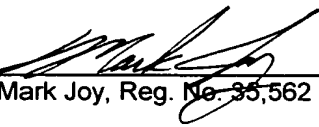
The claim fee has been calculated as shown below:

	CLAIMS REMAINING AFTER AMENDMENT		HIGHEST NUMBER PREVIOUSLY PAID FOR	EXTRA CLAIMS PRESENT	SMALL ENTITY		OTHER THAN A SMALL ENTITY	
		MINUS			RATE	ADDIT CLAIM FEE	RATE	ADDIT CLAIM FEE
TOTAL	20		20	=0	x 9=	\$	x 18=	\$0.00
INDEPENDENT	3		3	=0	x 42=	\$	x 84=	\$
<input type="checkbox"/> FIRST PRESENTATION OF MULTIPLE CLAIM					+ 140=	\$	+ 280=	\$0.00
					TOTAL	\$	TOTAL	\$0.00

- Please charge my Deposit Account No. 12-1216 in the amount of \$. A duplicate copy of this sheet is attached.
- A check in the amount of \$400.00 is attached.
- The Commissioner is hereby authorized to charge any deficiencies in the following fees associated with this communication or credit any overpayment to Deposit Account No. 12-1216. A duplicate copy of this sheet is attached.
 - Any filing fees under 37 CFR 1.16 for the presentation of extra claims.
 - Any patent application processing fees under 37 CFR 1.17.

Respectfully submitted,
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PATENT
Attorney Docket No. 209684

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

8/B
07-31-02
OW.

In re Application of:

Vermin et al.

Art Unit: 1761

Application No. 09/787,004

Examiner: Leslie Wong

Filed: May 23, 2001

For: DAIRY PRODUCT AND METHOD
FOR PREPARING SAME

RESPONSE TO OFFICE ACTION

MAILED
JUL 23 2002
GROUP 1700

Commissioner for Patents
Washington, D.C. 20231

Dear Sir:

In response to the Office Action dated February 11, 2002, please enter the following amendments and consider the following remarks.

AMENDMENTS

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IN THE CLAIMS:

Please amend claims 4, 13, and 14 as follows:

B1
4. (Twice Amended) The method according to claim 2, in which the bacterium originates from one of the following set of strains: *Micrococcus luteus*, *Arthrobacter*, *Corynebacterium* or *Arthrobacter ssp.*

B2 subC1
13. (Amended) The method of claim 4 wherein the dairy product is thermized.

14. (Amended) The method of claim 5 wherein the dairy product is thermized.

REMARKS

The Present Invention

The present invention is directed to a method for preparing a dairy product. The method comprises a first step of treating a medium comprising milk or a milk product under aerobic conditions with a lactose-negative, food-technologically acceptable microorganism to render a treated medium comprising milk or milk product. The treated medium is then

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